

# Waste Tire Special Bulletin: Baled Waste Tire Permitting, Storage and Hauling Requirements

October 18, 2011

Department Monthly Meeting

# Why we are here?



- To remind waste tire generators, haulers and end use facilities of the permitting, storage and hauling requirements for waste tires.
- To advise of ongoing enforcement action against those not complying with the statute and regulation.

# Why is waste tire baling becoming so prevalent?



- Lower costs for equipment needed to go into business relative to other waste tire processors.
- Lucrative markets overseas that allow haulers/balers to offer significantly reduced prices to generators for waste tire supply.

# What is waste tire baling? **CalRecycle**

- “an action which produces baled tires...”



# What is a baled tire?

- “...either whole or altered waste tires that have been compressed and then secured with a binding material for the purpose of reducing their volume.”



# Baled tires are waste tires

- PRC Section 42801.6

““Baled Tire” means either a whole or an altered tire that has been compressed and then secured with a binding material for the purpose of reducing it volume”.

- Title 14 CCR Section 17225.715

“...Baled tires are waste tires....”



# Finished bale of tires



# What are enforcement related issues?



## Operator:

- Some operators inappropriately consider their businesses to be “collection sites”.
- Baling facilities are operating without proper waste tire facility permits.

## Haulers:

- Some haulers are considering baled tires to be TDP.
- Unregistered haulers are transporting baled tires to and from sites.
- Many baled tires are not properly manifested as waste tire loads.



# Waste tire baling facilities are not “Collection” sites

- Collection sites are temporary storage sites established to address the activity of moving waste tires (CCR Section 17225.717).
- Definition does not include:
  - Changing the tires in size, shape, volume or any other manner.

# Baled tires are not

# Tire Derived Product (TDP)



- TDP is derived from a process using whole tires as a feedstock that results in smaller tire pieces such as shreds, crumb or chips (PRC Section 42805.7).
- Baled tires are whole tires and are not TDP and there is no exemption from hauler registration or manifesting for baled tires.

# Baling of waste tires may create an unpermitted waste tire facility

- All waste tires on site count towards the waste tire facility's total tire count. Tires on site includes:
  - Individual waste tires & baled tires;
  - Tires on the ground and in a road transportable container.
- An unpermitted waste tire site is one in which more than 499 waste tires are present (1500 is threshold for a used tire dealer).

# Baling of waste tires may create an unpermitted waste tire facility

- Bales of tires are typically transported in sea containers which may contain upwards of 2000 tires each.
- Each sea container can contain enough tires to exceed the threshold requirement for a waste tire facility permit.

# Possible Misuse of Common Carrier Exemption in Baled Tire Transport

- Common carriers must transport baled tires as a “backhaul”.
- Even on “backhaul” common carriers must apply for and receive a hauler registration exemption letter.
- All common carriers are required to manifest loads of 10 or more tires.



# Transportation of baled tires may create overweight containers



- Baled tires are heavy
  - Reports received of containers of baled tires weighing upwards of 56,000 pounds.
  - Investigating allegations of shipment of overweight containers of tires on CA highways.
- Referral to the CHP as necessary.

# Tires must be manifested

- Registered haulers or exempt common carriers are required to manifest baled tire loads
- Waste tire generators must obtain and maintain manifest paperwork for 3 years.

# Response to frequently asked questions



- Why doesn't CalRecycle immediately shut down illegal baling operations which come to our attention?
  - Response: There are due process considerations to which all waste tire generators, haulers and end use facilities are entitled.

# Response to frequently asked questions



- Why doesn't CalRecycle stop overseas shipments of tires?
  - Response: CalRecycle cannot regulate international , or even interstate commerce. We can work to ensure that all waste tire storage and transportation in CA is conducted in accordance with State law and regulation.

# Additional Actions CalRecycle is Taking



## Status of Regulation Revisions

- Developing proposed regulatory changes to clarify and reinforce current enforcement efforts
- Working to begin the rulemaking process towards the end of 2011

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# Questions and Contact Information

Call Waste Tire Hotline:

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